

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX

2001 NOV -5 PM 2:18

CLERK OF U.S. BANKRUPTCY
COURT

IN RE:

FAIRVIEW LANDSCAPE, INC.

DEBTOR

CASE NO. 99-43818
(CHAPTER 7)

BY Hub DEPUTY

TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION,
AND REPORT OF PROPOSED DISTRIBUTION

JOYCE W. LINDAUER, Trustee of the estate of the above-named Debtor, certifies to the Court and United States Trustee, that the trustee has faithfully and properly fulfilled the duties of the office of the trustee, that the trustee has examined all proofs of claim as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of the Court. The trustee applies for commissions and expenses set forth herein and states that they are reasonable and proper.

Therefore, the trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: 9/14/01

J. Lindauer
Joyce W. Lindauer, Trustee

REVIEWED BY THE UNITED STATES TRUSTEE

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

Date: 10-31-01

UNITED STATES TRUSTEE

By: Kellu

41

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:)
)
)
FAIRVIEW LANDSCAPE, INC.) CASE NO. 99-43818
) (CHAPTER 7)
DEBTOR.)

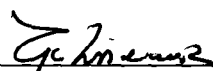
**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND
APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced moneys from personal funds for expenses, and the Trustee has not been reimbursed.
2. The Trustee submits Form I as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. § 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. § 554(c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this Final Report.
7. The Trustee has examined each and every claim filed and noted her approval of claims as filed, or she has filed objections to allowance or requests for reclassification.
8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution and Account and certification by the U.S. Trustee the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: 9/14/01



Joyce W. Lindauer, Trustee
12900 Preston Road, Suite #1050
Dallas, Texas 75230
(972) 503-4033

SCHEDULE A-1

FINAL ACCOUNT AS OF:

A.	RECEIPTS	\$ 1,175.66
B.	DISBURSEMENTS	
(1)	Secured Creditors	\$ 0.00
(2)	Administrative Expenses	\$ 0.00
(3)	Priority Creditors	\$ 0.00
(4)	Other	\$ 0.00
	TOTAL DISBURSEMENTS:	<u>\$ 0.00</u>
C.	CURRENT BALANCE:	<u>\$ 1,175.66</u>

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE:

LINDAUER

COMMENTS:

CASE NAME:

FAIRVIEW LANDSCAPE, INC.

CASE NUMBER:

99-43818

DATE UST APPROVED:

10-31-01

ESTATE INCOME:

TOTAL RECEIPTS:

\$1,175.66

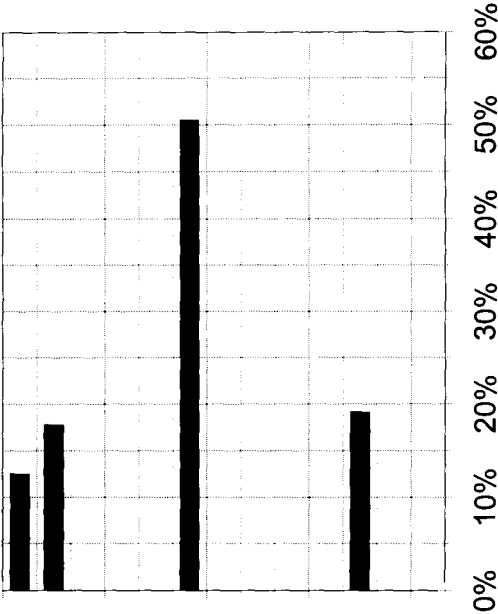
100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION
TRUSTEE'S EXPENSES
FIRM'S PROFESSIONAL FEES
FIRM'S PROFESSIONAL EXPENSES
OTHER ATTORNEY FEES
OTHER PROFESSIONAL FEES
COURT COSTS
ESTATE EXPENSES(TAXES, ETC)
PRIOR CHAPTER COSTS
SECURED CLAIMS PAID
PRIORITY CLAIMS PAID
UNSECURED CLAIMS PAID
OTHER(RETURN TO DEBTOR, ETC)

146.95
209.42
0.00
0.00
0.00
593.79
0.00
0.00
0.00
0.00
0.00
225.50
0.00
0.00

12.50%
17.81%
0.00%
0.00%
0.00%
50.51%
0.00%
0.00%
0.00%
0.00%
0.00%
19.18%
0.00%
0.00%



UNSECURED CLAIMS
ALLOWED

48,534.40

UNSECURED CLAIMS
PAID

0.00

PERCENT RECOVERED
FOR UNSECURED

0.00%

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 99-43818 DRS
Case Name: FAIRVIEW LANDSCAPE, INC.

Trustee: (631680) JOYCE LINDAUER
Filed (f) or Converted (c): 11/30/99 (f)
\$341(a) Meeting Date: 01/14/00
Claims Bar Date: 04/18/00

Period Ending: 09/13/01

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Machinery, fixtures, sprinkler equipment, etc.,	200.00	200.00	DA	25.00	FA
2	Hand Tools	100.00	100.00	DA	0.00	FA
3	Electrical Tools	200.00	200.00	DA	0.00	FA
4	2 Stihl Weedeaters	200.00	200.00		15.00	FA
5	3 Toro Mowers	500.00	500.00		22.50	FA
6	1 Toro Mower	1,000.00	1,000.00	DA	0.00	FA
7	1 Toro Mower	600.00	600.00	DA	0.00	FA
8	Misc. Equipment	100.00	100.00		109.00	FA
9	1 Toro Riding Mower	1,500.00	1,500.00		50.00	FA
10	Stone	200.00	200.00	DA	0.00	FA
11	Wood	100.00	100.00		140.00	FA
12	Claim Against Cowboys Gunite (u)	0.00	10.00	DA	0.00	FA
13	Surcharge Tax Refund 1993-1994	0.00	0.00		258.78	FA
14	Client List	Unknown	0.00	DA	0.00	FA
15	Ford F-250 Pickup (u)	0.00	0.00		500.00	FA
16	1 Large 2 Wheel Dolly (u)	0.00	0.00		45.00	FA
17	1 Pickup Tool Box (u)	0.00	0.00		0.00	0.00
Int	INTEREST (u)	Unknown	N/A		10.38	Unknown

Form 2

Cash Receipts And Disbursements Record

Page: 1

Case Number: 99-43818 DRS
Case Name: FAIRVIEW LANDSCAPE, INC.

Trustee: JOYCE LINDAUER (631680)
Bank Name: THE CHASE MANHATTAN BANK
Account: 312-7515152-65 - Money Market Account
Blanket Bond: \$300,000.00 (per case limit)
Separate Bond: N/A

Taxpayer ID #: 75-2304246
Period Ending: 09/13/01

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
09/21/00	{13}	Texas Workers' Compensation Insurance Fund		258.78		258.78
09/29/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.3000%	0.10		258.88
10/31/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.3000%	0.51		259.39
11/30/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.3000%	0.49		259.88
12/29/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.1500%	0.49		260.37
01/31/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	0.45		260.82
02/28/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.8000%	0.37		261.19
03/30/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.7000%	0.38		261.57
04/10/01	{1, 4, 5, 8, 9, 11, 15, 16}	Flusche Auction Company	Sale from Auction Held 3/24/01	906.50		1,168.07
04/30/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.6000%	1.10		1,169.17
05/31/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.6000%	1.59		1,170.76
06/29/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.5000%	1.48		1,172.24
07/31/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.5000%	1.49		1,173.73
08/31/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.5000%	1.50		1,175.23
09/11/01	Int	Interest Posting	Current Interest Rate is 1.5000%	0.43		1,175.66
09/11/01		To Account #312751515266	Close MMA / Open Checking Preparing TFR		1,175.66	0.00

ACCOUNT TOTALS

1,175.66 1,175.66 \$0.00

Less: Bank Transfers

0.00 1,175.66

Subtotal

1,175.66 0.00

Less: Payments to Debtors

0.00

NET Receipts / Disbursements

\$1,175.66 \$0.00

Form 2

Cash Receipts And Disbursements Record

Page: 2

Case Number: 99-43818 DRS
Case Name: FAIRVIEW LANDSCAPE, INC.
Taxpayer ID #: 75-2304246
Period Ending: 09/13/01

Trustee: JOYCE LINDAUER (631680)
Bank Name: THE CHASE MANHATTAN BANK
Account: 312-7515152-66 - Checking Account
Blanket Bond: \$300,000.00 (per case limit)
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
09/11/01		From Account #312751515265	Close MMA / Open Checking Preparing TFR	1,175.66		1,175.66

ACCOUNT TOTALS
Less: Bank Transfers 0.00
Subtotal 1,175.66
Less: Payments to Debtors 0.00
NET Receipts / Disbursements \$0.00

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
MMA # 312-7515152-65	1,175.66	0.00	0.00
Checking # 312-7515152-66	0.00	0.00	1,175.66
	\$1,175.66	\$0.00	\$1,175.66

SCHEDULE B

APPLICATION FOR COMPENSATION

COMPUTATION OF COMMISSIONS (cases filed after 10/22/95)

Total Receipts	<u>1,175.66</u>	25% of First \$5,000	\$ 293.91
Less	(5,000.00)		
Balance	<u>0.00</u>	10% of next \$45,000	\$ 0.00
Less	(45,000.00)		
Balance	<u>0.00</u>	5% of next \$950,000	\$ 0.00
Less	(950,000.00)		
Balance	<u>0.00</u>	3% of Remaining Balance	<u>\$ 0.00</u>

TOTAL COMMISSIONS \$ 293.91

Reduce by 50% = \$ 146.95

UNREIMBURSED EXPENSES

Recording Fees	\$ 0.00
Premium on Trustee's Bond	\$ 0.00
Copy Costs (See Exhibit "A")	\$ 107.00
Postage Costs (See Exhibit "A")	\$ 36.85
Secretarial Time (See Exhibit "A")	\$ 275.00
Preservation of Estate	\$ <u>0.00</u>

TOTAL UNREIMBURSED EXPENSES: \$ 418.85

Reduce by 50% = \$ 209.42

EXHIBIT "A"

TRUSTEE EXPENSES

Secretarial, Copies, Postage:	# Copies	Postage
Preparation of Trustee's Application to Sell Property of Estate	25	3.65
Preparation of Application to Employ Auctioneer	25	3.65
Preparation of Application to Pay Auctioneer	18	3.65
Draft Final Report	240	12.95
Preparation of Supplemental Final Report	120	12.95

TOTALS:	
Secretarial Time = 5.5 hours @ \$ 50.00/hour	\$275.00
Copies = 428 @ \$.25/page	\$107.00
Postage	\$ 36.85

SECRETARIAL TIME

Date	Description of Services	Total Hours
01/20/01	Preparation of Trustee'S Application to Sell Property of Estate	.5
12/15/00	Preparation of Application to Employ Auctioneer	.5
04/10/01	Preparation of Application to Pay Auctioneer	.5
06/03/01	Prepare Objections to Claims	.5
09/12/01	Draft Final Report	2.0
09/12/01	Revise Final Report	.2
09/13/01	Finalize Final Report	.3
	Preparation of Supplemental Final Report	1.0
	Total Hours:	5.5

SCHEDULE C

EXPENSES OF ADMINISTRATION

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
1. 11 U.S.C. Sec. 507(a) (1) <u>Court Costs and Fees</u>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2. 11 U.S.C. Sec. 503(b) (1) (A) <u>Preservation of Estate</u>				
A. Transportation	0.00	0.00	0.00	0.00
B. Storage	0.00	0.00	0.00	0.00
C. Wages	0.00	0.00	0.00	0.00
D. Estates share FICA	0.00	0.00	0.00	0.00
E. Insurance	0.00	0.00	0.00	0.00
F. Upkeep	0.00	0.00	0.00	0.00
G. Other (itemize)	0.00	0.00	0.00	0.00
3. 11 U.S.C. Sec. 503(b) (2) <u>Post-Petition taxes and related penalties</u>	0.00	0.00	0.00	0.00
4. 11 U.S.C. Sec. 503(b) (2) <u>Compensation and Reimbursement</u>				
A. Compensation of Trustee	\$ 146.95	\$ 146.95	0.00	\$ 146.95
B. Expenses of Trustee	\$ 209.42	\$ 209.42	0.00	\$ 209.42
C. Expenses of Auctioneer	\$ 503.14	\$ 503.14	0.00	\$ 503.14
D. Commissions of Auctioneer	\$ 90.65	\$ 90.65	0.00	\$ 90.65
5. Court Special Charges (Excess Notices)	0.00	0.00	0.00	0.00
6. U.S. Trustee fees	0.00	0.00	0.00	0.00
7. Other (itemize)	0.00	0.00	0.00	0.00
Totals:	<u>\$950.16</u>	<u>\$950.16</u>	<u>\$ 0.00</u>	<u>\$950.16</u>

SCHEDULE D

SECURED CLAIMS

[illegible]

SCHEDULE E

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE FOLLOWING ORDER OF PRIORITY

	(1) Claim No.	(2) Amt. Claimed	(3) Amt. Allowed	(4) Amt. Paid	(5) Due
1. For Credit Extended Section 364(e)(1)					
2. Claims for failure of adequate protection Section 307(a)(b)					
3. "Gap Claims" Section 507(a)(2)					
4. Wages, etc. Section 507(a)(3)					
5. Contributions to Benefit Plans Section 507(a)(4)					
6. Consumer Deposits Section 507(a)(6)					
7. Taxes Section 507(a)(7)	(2) IRS	\$33,429.69	\$33,429.69	0.00	\$33,429.69
	(4)IRS	\$19,263.31	\$19,263.31	0.00	\$19,263.31
TOTAL:					\$52,693.00

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS

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CLERK, U.S. BANKRUPTCY
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BY mlh DEPUTY

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

EON

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IN RE:

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FAIRVIEW LANDSCAPE, INC.

CASE NO. 99-43818
(CHAPTER 7)

DEBTOR.

**ORDER ON OBJECTION TO PROOF OF CLAIM OF
BANK ONE-AZI-2004
CLAIM #1**

CAME ON FOR CONSIDERATION BY THE COURT, the Objection to Claim #1
filed by Bank One-AZI-2004, and the Court having considered the Objection filed by the
Chapter 7 Trustee in the above-styled and numbered case, grants same; it is accordingly,

ORDERED, ADJUDGED AND DECREED that Claim #1 filed by Bank One-AZI-
2004 in the above-styled and numbered case is disallowed as a secured claim and allowed as an
unsecured claim.

SIGNED this 31st day of July, 2000.

Donald R. Shoup
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS

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COURT

BY ML DEPUTY

IN RE:

FAIRVIEW LANDSCAPE, INC.

DEBTOR.

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CASE NO. 99-43818
(Chapter 7)

FON

JAN 17 2001

ORDER GRANTING
APPLICATION TO EMPLOY AUCTIONEER TO
LIQUIDATE ASSETS OF ESTATE

UPON CONSIDERATION of the application of Joyce W. Lindauer, Chapter 7 Trustee, seeking approval of her employment of Don Flusche, Flusche Auction Co., Inc., to conduct the sale of property described in the application, and it appearing that said auctioneer is qualified and competent to conduct the sale, that said auctioneer has no interest that would disqualify him from the proposed employment, and that the fee to be paid is reasonable, it is

ORDERED, ADJUDGED AND DECREED that the employment by the Chapter 7 Trustee of Don Flusche, Flusche Auction Co., Inc., on the terms set forth in the Trustee's application is approved.

DATED:

January 16, 2001

Donald Sharp
HONORABLE DONALD SHARP
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

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U.S. BANKRUPTCY
EASTERN DISTRICT OF TEXAS

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IN RE:

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FAIRVIEW LANDSCAPE, INC.

CASE NO. 99-43818
(Chapter 7)

DEBTOR.

EOD MAR 13 '01

ORDER GRANTING
TRUSTEE'S APPLICATION TO SELL PROPERTY
OF THE ESTATE

CAME ON FOR CONSIDERATION the Trustee's Application to Sell Property of the Estate
and the Court, upon a review of the pleadings on file, finds that good cause exists for granting same.

It is, therefore

ORDERED, ADJUDGED AND DECREED that the Trustee's Application to Sell Property
of the Estate is hereby GRANTED and all liens, claims and encumbrances shall attach to the
proceeds of sale.

SIGNED: March 13, 2001.

Donald R. Hays
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX

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CLERK, U.S. BANKRUPTCY
COURT

BY W. H. DEPUTY

IN RE:

FAIRVIEW LANDSCAPE, INC.

DEBTOR.

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CASE NO. 99-43818
(Chapter 7)

FOR

MAY 15 2001

ORDER APPROVING COMPENSATION OF AUCTIONEER

AFTER CONSIDERATION of the Application for Compensation of Auctioneer filed by the Trustee in the above-referenced proceeding, and all parties-in-interest being noticed, no objections being filed, and the Court having considered the same, finds that such is meritorious and should be granted. It is therefore,

ORDERED, ADJUDGED AND DECREED that the Trustee is authorized to pay Don Flusche the amount of \$90.65 as commission and \$503.14 as expenses (\$157.14 Advertising and \$196.00 Pickup and \$150.00 Storage) for services rendered to this estate.

DATED: May 14, 2001

Donald R. Shary
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX

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CLERK, U.S. BANKRUPTCY
COURT

BY Th DEPUTY

IN RE:

FAIRVIEW LANDSCAPE, INC.

DEBTOR.

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CASE NO. 99-43818

FOR

MAY 15 2001

ORDER
APPROVING TRUSTEE'S REPORT OF SALE

After consideration of the Report of Sale filed by the Trustee in the above referenced case and all parties of interest being noticed and no objections being filed and the Court having considered the same, finds that such is meritorious and should be granted. It is therefore;

ORDERED, ADJUDGED AND DECREED that the Trustee's Report of Sale is hereby approved.

Dated: May 14, 2001

Donald R. Sharp
United States Bankruptcy Judge

U.S. Bankruptcy Court - Eastern District of Texas Claims Register Report

99-43818 In re: Fairview Landscape, Inc.

Case type: bk Chapter: 7 Asset: y Vol: v Case filed: 11/30/99

Judge: Donald R. Sharp

99 - 43818	Debtor Name: Fairview Landscape, Inc.	<i>Last Date to File Claims: 04/18/00</i> <i>Last Date to File (govt): 07/17/00</i>
<u>Claim Number: 1</u>	<i>Creditor Name: Bank One-AZ1-2004</i> <i>Attn: Treva G. Clark</i> <i>P.O. Box 29550</i> <i>Phoenix, AZ 85038-9550</i>	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 01/31/00</i>		
Amount	Class	Remarks
20,325.34	s	
<i>Total: \$ 20,325.34</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

99 - 43818	Debtor Name: Fairview Landscape, Inc.	<i>Last Date to File Claims: 04/18/00</i> <i>Last Date to File (govt): 07/17/00</i>
<u>Claim Number: 2</u>	<i>Creditor Name: Internal Revenue Service</i> <i>1100 Commerce St. Room 9A20</i> <i>Stop 5027 DAL</i> <i>Dallas, TX 75242</i>	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 03/02/00</i>		<i>Amendment: Amended by 4</i>
Amount	Class	Remarks
33,429.69	o	
<i>Total: \$ 33,429.69</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

99 - 43818	Debtor Name: Fairview Landscape, Inc.	<i>Last Date to File Claims: 04/18/00</i> <i>Last Date to File (govt): 07/17/00</i>
<u>Claim Number: 3</u>	<i>Creditor Name: Texas Workers' Compensation Insurance Fund</i> <i>Legal Dept.</i> <i>221 W. 6th St. Ste. 300</i> <i>Austin, TX 78701</i>	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 03/23/00</i>		
Amount	Class	Remarks
28,209.06	g	
<i>Total: \$ 28,209.06</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

		<i>Last Date to File Claims: 04/18/00</i>
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99 - 43818	Debtor Name: Fairview Landscape, Inc.	Last Date to File (govt): 07/17/00
Claim Number: 4	Creditor Name: Internal Revenue Service 1100 Commerce St. Room 9A20 Stop 5027 DAL Dallas, TX 75242	Nature of Claim: Deficiency: Unliquidated:
Claim date: 04/03/00		Amendment: Amendment of 2
Amount	Class	Remarks
19,263.31	o	
Total: \$ 19,263.31		
Amount Allowed: N/A	Description:	Order Action:

Report Criteria

Claim Number(s):	All
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End of Claims Register Report

PACER Service Center			
Transaction Receipt			
09/10/2001 14:07:25			
PACER Login:	li0081	Client Code:	
Description:	claim register	Case Number:	1999-43818
Billable Pages:	1	Cost:	0.07

Need help? Try the [PACER User's Guide](#).
☒ For information or comments, please contact [Pacer Service Center](#)
[PACER Home](#).

U.S. Bankruptcy Court

Eastern District of Texas (Sherman)

- *Bankruptcy Petition #*: 99-43818 *Date filed*: 11/30/99
- *Assigned to*: Honorable Donald R. Sharp
- Chapter 7, voluntary, asset

* Parties *	* Attorneys *
FAIRVIEW LANDSCAPE, INC. 1045 Orchid Lane Argyle, TX 76226 Tax ID: 75-2304246 * Debtor *	Bruce A. Alford 8300 Douglas Ave. #800 Dallas, TX 75225
JOYCE W. LINDAUER, Trustee 12900 Preston Rd. Suite 1050 Dallas, TX 75230 * Trustee *	

Docket Proceedings

Date	Doc. No.	Docket Entry
11/30/99	<u>1</u>	Voluntary Petition and Notice to Individual Consumer Debtor; , missing documents: Schedule A - J Due on 12/15/99 (Filing Fee \$ 175.00 Receipt # 407796) (ea) [EOD 12/01/99]
11/30/99	<u>2</u>	Matrix. (ea) [EOD 12/01/99]
11/30/99	--	First Meeting of Creditors Scheduled For 1:30 1/14/00 At Plano Centre. (ea) [EOD 12/01/99]
12/6/99	<u>3</u>	Certificate of Mailing Re: [0-0] First Meeting # of notices: 13. (ea) [EOD 12/06/99]
12/14/99	<u>4</u>	Motion By Debtor Fairview Landscape, Inc. To extend Time To file Schedules and Statment of Financial Affairs. (ea) [EOD 12/15/99]
12/17/99	<u>5</u>	Order Granting [4-1] Motion To extend Time To file Schedules and Statment of Financial Affairs by Fairview Landscape, Inc.; Missing Documents Due: 12/30/99 . (ea) [EOD 12/17/99]

12/30/99	<u>7</u>	Second Motion By Debtor Fairview Landscape, Inc. To extend Time To file Schedules and Statement of Affairs. (ea) [EOD 01/05/00]
1/10/00	<u>8</u>	Order Granting [7-1] Second Motion To extend Time To file Schedules and Statement of Affairs by Fairview Landscape, Inc.; Missing Documents Due: 1/18/00. (ea) [EOD 01/12/00]
1/14/00	<u>9</u>	Schedules and Statements . (ea) [EOD 01/18/00]
1/14/00	<u>10</u>	Amended Matrix. (ea) [EOD 01/18/00]
1/14/00	<u>13</u>	First Meeting Held. (asset case) (ea) [EOD 01/19/00]
1/18/00	<u>11</u>	Certificate of Mailing Re: [8-1] Order # of notices: 4. (ea) [EOD 01/19/00]
1/18/00	<u>12</u>	Order Striking [10-1] (Amended Matrix). Filing fee of \$20.00 not paid. (ea) [EOD 01/19/00]
1/19/00	<u>14</u>	Order Setting Bar Date. Last Day to File Government Claims: 7/17/00 . Last Day To File Claims 4/18/00. (ea) [EOD 01/19/00]
1/24/00	<u>15</u>	Certificate of Mailing Re: [12-1] Order # of notices: 4. (ea) [EOD 01/25/00]
1/24/00	<u>16</u>	Certificate of Mailing Re: [14-1] Bar Date Order # of notices: 14. (ea) [EOD 01/25/00]
2/24/00	<u>17</u>	Amended Matrix. (adding creditors) (ea) [EOD 02/25/00]
6/2/00	<u>18</u>	Amended Matrix. (jrb) [EOD 06/08/00]
6/2/00	<u>19</u>	Amended Schedules F And Certificate of Service. (jrb) [EOD 06/08/00]
12/21/00	<u>20</u>	Application By Trustee Joyce W. Lindauer To Employ Flusche Auction Co., Inc., Auctioneer . (jrb) [EOD 12/22/00]
1/17/01	<u>21</u>	Order Granting [20-1] Application To Employ Flusche Auction Co., Inc., Auctioneer by Joyce W. Lindauer . (ea) [EOD 01/17/01]
1/22/01	<u>22</u>	Certificate of Mailing Re: [21-1] Order # of notices: 4. (ea) [EOD 01/23/01]
		Application By Trustee Joyce W. Lindauer To Sell Property of the Estate .

2/15/01	<u>23</u>	(ea) [EOD 02/16/01]
3/13/01	<u>24</u>	Order Granting Trustee's [23-1] Application To Sell Property of the Estate by Joyce W. Lindauer . (lc) [EOD 03/13/01]
3/16/01	<u>25</u>	Certificate of Mailing Re: [24-1] Order # of notices: 4. (ea) [EOD 03/20/01]
4/13/01	<u>26</u>	Application By Trustee Joyce W. Lindauer For Compensation: \$ 90.65 And Expenses: \$ 503.14 of Auctioneer and Notice to Creditors . (ml) [EOD 04/17/01]
4/17/01	<u>27</u>	Trustee's Report Of Sale Of Miscellaneous Assets. (jrb) [EOD 04/18/01]
4/20/01	<u>28</u>	Supplemental [27-1] Report of Sale Filed By Trustee Joyce W. Lindauer . (ea) [EOD 04/23/01]
5/14/01	<u>29</u>	Order Granting [26-1] Application For Compensation: \$ 90.65 And Expenses: \$ 503.14 of Auctioneer and Notice to Creditors by Joyce W. Lindauer . (ea) [EOD 05/15/01]
5/14/01	<u>30</u>	Order Granting [28-1] Amended Report of Sale by Joyce W. Lindauer. (ea) [EOD 05/15/01]
5/18/01	<u>31</u>	Certificate of Mailing Re: [29-1] Order by Don Flusche # of notices: 5. (ea) [EOD 05/21/01]
5/18/01	<u>32</u>	Certificate of Mailing Re: [30-1] Order # of notices: 5. (ea) [EOD 05/21/01]
6/7/01	<u>33</u>	Objection Filed By Trustee Joyce W. Lindauer To Claim of Bank One-AZI-2004 Number 3 In the Amount of \$ 20,325.34. (ea) [EOD 06/08/01]
6/8/01	<u>34</u>	Deficiency Notice by Clerk's Office Re: [33-1] Claims Objection To Claim of Bank One-AZI-2004 Number 3 by Joyce W. Lindauer. (Order attached to objection refers to Claim # 1 instead of Claim # 3. Wrong claim attached) (ea) [EOD 06/08/01]
6/14/01	<u>35</u>	Amended Objection RE: [33-1] Claims Objection To Claim of Bank One-AZI-2004 Number 3 by Joyce Lindauer Filed by Debtor Fairview Landscape, Inc. (cures deficiency) (ea) [EOD 06/18/01]
6/19/01	--	Hearing Re: [35-1] Response/Objection Amended/supplemental by Fairview Landscape, Inc. Scheduled For 10:00 7/31/01 at Plano Bankruptcy

		Courtroom . (cs) [EOD 06/19/01]
6/25/01	<u>36</u>	Certificate of Mailing Re: [0-0] Hearing, [35-1] Response/Objection Amended/supplemental by Fairview Landscape, Inc. # of notices: 4. (sr) [EOD 06/26/01]
7/31/01	<u>37</u>	Hearing Held Re: [35-1] Response/Objection Amended/supplemental by Fairview Landscape, Inc. (Objection to claim sustained. Order signed) (ea) [EOD 08/07/01]
8/2/01	<u>38</u>	Order Granting [35-1] Response/Objection Amended/supplemental by Fairview Landscape, Inc. Ordered that claim #1 filed by Bank One-AZI-2004 is disallowed as secured claim and allowed as an unsecured claim. (ea) [EOD 08/07/01]
8/10/01	<u>39</u>	Certificate of Mailing Re: [38-1] Order # of notices: 5. (ea) [EOD 08/13/01]

Report Criteria

Case Num:	99-43818
Filed between:	01/01/31 and 09/10/01

End of Report

PACER Service Center			
Transaction Receipt			
09/10/2001 14:06:57			
PACER Login:	li0081	Client Code:	
Description:	docket report	Case Number:	1999-43818
Billable Pages:	4	Cost:	0.28

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:)
)
FAIRVIEW LANDSCAPE, INC.) CASE NO. 99-43818
) (CHAPTER 7)
DEBTOR.)

TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS

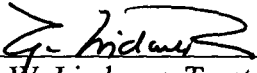
The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distribution.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the Trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution upon certification by the U.S. Trustee unless written objection thereto is filed and served on the trustee and on the U.S. Trustee.

i.	Balance on Hand	\$1,175.66
ii.	Administrative Expenses to be paid	\$ 950.16
iii.	Priority Claims to be paid	\$ 225.50
iv.	Secured Claims to be paid	\$ 0.00
v.	Unsecured Claims to be paid	\$ 0.00
vi.	Miscellaneous distributions to be paid	\$ 0.00
vii.	Total Distributions to be made	<u>\$1,175.66</u>
viii.	Zero Balance	<u>\$ 0.00</u>

Dated: 9/14/01



Joyce W. Lindauer, Trustee
12900 Preston Road, Suite 1050
Dallas, Texas 75230
(972) 503-4033

Claims Proposed Distribution
Trustee: Joyce W. Lindauer

Case: FAIRVIEW LANDSCAPE, INC.

Case Balance: \$1,175.66

Total Proposed Payment: \$1,175.66

Remaining Balance: \$1,175.66

Claim No.	Claimant Name	Type	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Remaining Funds
	Joyce W. Lindauer Exp - Trustee (Ch 7)	Admin Ch 7	\$209.42	\$209.42	\$0.00	\$209.42	\$209.42	\$966.24
	<i>Joyce Lindauer</i>	Admin Ch 7	\$146.95	\$146.95	\$0.00	\$146.95	\$146.95	\$819.29
	(Ch 7)	Admin Ch 7	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$819.29
	Fees - Trustee's Atty (Ch 7)	Admin Ch 7	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$819.29
	Auctioneer Exp.	Admin Ch 7	\$503.14	\$503.14	\$0.00	\$503.14	\$503.14	\$316.15
	Auctioneer Commissions	Admin Ch 7	\$90.65	\$90.65	\$0.00	\$90.65	\$90.65	\$225.50
1	Bank One	Un- secured	\$20,325.34	\$20,325.34	\$0.00	\$20,325.34	\$0.00	\$225.50
2	IRS	Priority	\$33,429.69	\$33,429.69	\$0.00	\$33,429.69	\$143.06	\$82.44
3	TWC	Un- secured	\$28,209.06	\$28,209.06	\$0.00	\$28,209.06	\$0.00	\$82.44
4	IRS	Priority	\$19,263.31	\$19,263.31	\$0.00	\$19,263.31	\$82.44	\$0.00
Total for Case No. 99-43818			\$102,177.56	\$102,177.56	\$0.00	\$102,177.56	\$1,175.66	\$0.00

CASE SUMMARY

	Amount Filed	Amount Allowed	Paid to Date	Proposed Balance
Total Administrative Claims:	\$ 950.16	\$ 950.16	\$0.00	\$ 950.16
Total Priority Claims:	\$52,693.00	\$52,693.00	\$0.00	\$52,693.00
Total Secured Claims:	\$20,325.34	\$ 0.00	\$0.00	\$ 0.00
Total Unsecured Claims:	\$48,534.40	\$48,534.40	\$0.00	\$48,534.40

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE: FAIRVIEW LANDSCAPE, INC. / BANKRUPTCY CASE: 99-43818
/
/ CHAPTER 7

**NOTICE OF FILING OF FINAL REPORT OF TRUSTEE.
APPLICATION FOR COMPENSATION AND PROPOSED DISTRIBUTIONS**

NOTICE IS GIVEN that the Trustee's Final Report and Account, report of Proposed Final Distribution and Applications for Compensation have been filed. These documents are available for public inspection at the office of the Bankruptcy Clerk, 200 E. Ferguson, Tyler, Texas 75702, or at the trustee's office whose name and address is as follows:

JOYCE LINDAUER 12900 PRESTON ROAD SUITE 900 DALLAS, TX 75230

The following Applications for Compensation have been filed:

<u>Applicants</u>	<u>Fees Requested</u>	<u>Expenses Requested</u>
<u>JOYCE LINDAUER</u> Trustee	<u>146.95</u>	<u>209.42</u>
<u>Attorney for Trustee</u>	<u> </u>	<u> </u>
<u>U. S. Bankruptcy Court</u>	<u>0.00</u>	<u> </u>

The trustee's account shows:

Total Receipts	Total Disbursements	Balance
<u>\$ 1175.66</u>	<u>\$ 0.00</u>	<u>\$ 1175.66</u>

In addition to the commissions and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been allowed in the total amount of \$ 52693.00 ; general unsecured claims have been allowed in the amount of \$ 48534.40 .
The debtor has/has not been discharged.

Written objections to the Final Report, Application for Compensation and/or proposed Distributions must be filed with the Clerk of the Court and served on the trustee at the above mentioned address within 30 days from the date of this notice. If no objections are filed, the Court may consider the Report and Applications without hearing. If objections are filed, a hearing will be held on _____

at _____ .

Date: _____

JAMES D. TOKOPH, Clerk of Court

By: _____
Deputy Clerk

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:)	
)	
FAIRVIEW LANDSCAPE, INC.)	CASE NO. 99-43818
)	(CHAPTER 7)
)	
DEBTOR.)	

ORDER APPROVING TRUSTEE'S FINAL REPORT,
PROPOSED DISTRIBUTION AND ALLOWING COMPENSATION

The Trustee having filed an Application for Compensation and Reimbursement of Expenses, and the Trustee having filed a Final Report and Report of Proposed Distribution, after hearing and due consideration, it is hereby:

ORDERED that the Trustee's Final Report and Proposed Distribution are hereby approved. It is further

ORDERED that the Trustee, Joyce W. Lindauer, is to pay the claims allowed and approved in the Trustee's Final Report and Report of Proposed Distribution.

DATED: _____.

UNITED STATES BANKRUPTCY JUDGE